

14-14E. De Minimis Settlements (1200 TN 554)

1. **AUTHORITY.** To exercise the U.S. Environmental Protection Agency's authority pursuant to section 122(g) of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended.
2. **TO WHOM DELEGATED.** Director, Hazardous Site Cleanup Division
3. **LIMITATIONS.**
 - a. Delegates should exercise this authority consistent with the most recent version of the "OECA/OSRE CERCLA and RCRA/CWA/UST Roles Chart," or successor documents, as appropriate.
 - b. The delegatee has complete authority to enter into settlements with de minimis generators and transporters under Section 122(g)(1)(A).
 - c. The delegatee must concur or consult with the Office of Site Remediation Enforcement when exercising settlement authority with de minimis landowners under Section 122(g)(1)(B) consistent with OSWER Directives 9012.10-a and 9012.10-b dated June 17, 1988 and August 18, 1988 respectively. This limitation may be revised by future memorandum issued by the Assistant Administrator for Enforcement and Compliance Assurance.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to the branch chief level, and no further. The authority may not be redelegated without formal amendment.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** Section 102(b) of the Small Business Liability Relief and Brownfields Revitalization Act.
6. **SUPERSESSSION.** Delegations Manual, CERCLA, Regional Delegation 14-14-E. De Minimis Settlements, 1200 TN RIII 157, (November 7, 2003).

Date 1/18/2017Shawn M. Garvin
for SMC
Regional Administrator